



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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LOS ANGELES, CALIFORNIA 90012-2713

LLOYD W. PELLMAN
County Counsel

March 3, 2004

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Agenda No. 11
7/22/03

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: CONDITIONAL USE PERMIT NUMBER 02-004-(1)
FIRST SUPERVISORIAL DISTRICT / THREE-VOTE MATTER**

Dear Supervisors:


Your Board previously conducted a hearing regarding the above-referenced permit which proposes a residential development consisting of 18 single-family residences, with 11 units reserved for lower-income households, and including a 4-unit density bonus, on approximately two acres in the Puente Zoned District. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed us to prepare the appropriate findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

LLOYD W. PELLMAN
County Counsel

By 
JUDITH A. FRIES
Principal Deputy County Counsel
Public Works Division

APPROVED AND RELEASED:


LLOYD W. PELLMAN
County Counsel

JAF:md

Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NO. 02-004-(1)**

1. The Board of Supervisors ("Board") of the County of Los Angeles has conducted a duly noticed public hearing on this proposed Conditional Use Permit Case No. 02-004-(1) on July 22, 2003. The Regional Planning Commission of the County of Los Angeles previously conducted its duly noticed public hearing on this proposal on April 2, 2003.
2. The applicant is proposing to construct a residential development on the subject property consisting of 18 single-family lots, 11 of which will be reserved for lower-income households.
3. A conditional use permit is required to authorize the proposed density bonus of four dwelling units and concessions for affordable housing pursuant to Section 22.56.202 of the Los Angeles County Code and to ensure compliance with the requirements of the proposed Development Program Zone pursuant to Section 22.40.040 of the Los Angeles County Code.
4. The subject property is located at 16005 and 16017 Fellowship Street in the Valinda community of the Puente Zoned District.
5. The subject property is 1.81 net acres (2.45 gross acres) in size, rectangular in shape with level topography. The site is currently developed with two single-family residences which will be removed to accommodate the proposed development. Access to the proposed development shall be provided from Fellowship Street, Walnut Avenue, and "A" Street.
6. Single-family residences surround the subject property to the north, south, east, and west.
7. The project site is currently zoned A-1-10,000 (Light Agricultural, 10,000 square feet minimum lot area). The zoning was established by Ordinance No. 3811, which became effective on April 24, 1941, following the creation of the Covina Highlands Zoned District. The Board has concurrently considered Zone Change Case No. 02-004-(1) to change the zoning of the subject property from A-1-10,000 to R-1-5000-DP (Single-Family Residence, 5000 square feet minimum lot area - Development Program Zone). The Development Program designation will ensure that development occurring after the property has been rezoned will conform to plans submitted by the applicant through the conditional use permit approval process. Approval of this conditional use permit will not become effective unless and until the Board has adopted an ordinance effecting the change of zone and such ordinance has become effective.

8. Surrounding zoning is A-1-10,000 directly to the north, south, east, and west. There is also R-A-7500 and R-1-6000 zoning to the northwest and south, respectively.
9. The project is consistent with the proposed R-1-5000-DP zoning classification. Pursuant to Section 22.40.040 of the Los Angeles County Code, property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of the conditional use permit and approved development program contained therein. Single-family residences are permitted in the R-1 zone, pursuant to Section 22.20.070 of the Los Angeles County Code. The project density, prior to consideration of the requested density bonus, of 14 dwelling units is consistent with R-1-5000 zoning, which would allow a maximum of 15 dwelling units on the subject property.
10. The property is depicted within the Low Density Residential land use classification on the Los Angeles Countywide General Plan Land Use Policy Map. This land use designation permits residential densities ranging from one to six dwelling units per acre, which would allow a maximum of 14 dwelling units on the 2.45-acre site. The proposed density of 14 dwelling units, with a density bonus of four additional dwelling units, is consistent with this land use classification. In addition, the Countywide General Plan encourages the provision of critically needed affordable housing through incentives such as density bonuses.
11. The General Plan also supports concentrated "infill" residential development. The density bonus requested for this project is consistent with the residential infill policy of the Countywide General Plan as it meets the following criteria:
 - a. The proposed project will not disrupt sound residential neighborhoods nor adversely affect the character of the established community, since the proposed development of single-family lots is consistent with the existing single-family residential neighborhood;
 - b. The proposed project site is of sufficient size to accommodate design features, such as setbacks, landscaping, and buffering, necessary to ensure compatibility with surrounding uses;
 - c. The proposed project will not overburden existing public services and facilities, as described in the Negative Declaration prepared for this project;
 - d. The Negative Declaration concludes that the proposed use, with a two-car garage and associated driveway provided for each dwelling unit, will not disrupt or adversely impact local traffic and parking conditions; and

- e. Compatibility of the proposed project with surrounding uses, in terms of scale, intensity and design, is ensured through specific site plan review.
12. The project has been evaluated using the affordable housing criteria set forth in the General Plan:
- a. The compatibility of the proposed project, in terms of scale and design, with surrounding land uses and established community character;
 - b. The viability of the proposed project in terms of long term commitment and ability to meet identified low and moderate income housing needs; and
 - c. The location of the proposed project relative to shopping and employment opportunities, and accessibility to necessary public services and facilities.
13. The proposed project provides a wide range of housing types, including critically needed affordable housing, and it promotes the efficient use of land through a more concentrated pattern of urban development.
14. The proposed project is consistent with the goals and policies of the General Plan.
15. Conditional Use Permit Case No. 02-004-(1) was heard concurrently with Vesting Tentative Tract Map No. 53209, a related request that has been processed in connection with the applicant's proposal. Vesting Tentative Tract Map No. 53209 proposes to subdivide the subject property into 18 single-family residential lots. The Board's findings with respect to this tentative tract map are incorporated herein by this reference as if set forth in full.
16. The applicant's site plan, labeled Exhibit "A," depicts 18 single-family lots on the subject property, including 11 lots reserved for lower income households, which are dispersed throughout the project site. The site plan depicts front yard landscaping for all lots. Four home models are proposed with two stories and ranging from approximately 23 to 26 feet in height and 1,520 to 2,335 square feet in size. Each home has a two-car attached garage, accessed from a private driveway. A total of 36 covered standard parking spaces are provided.
17. The Regional Planning Commission conducted a public hearing on April 2, 2003, and received oral and written testimony regarding the proposed development. Two letters were submitted to the Regional Planning Commission expressing opposition to the proposed development due to concerns including traffic impacts, small lot sizes, and a decline in neighborhood living standards. Petitions with approximately 60 signatures from neighboring property owners were submitted to the Regional Planning Commission expressing support for the

proposed development.

18. After considering the evidence presented, the Regional Planning Commission approved Conditional Use Permit Case No. 02-004-(1) on April 23, 2003.
19. No one testified concerning the project at the July 22, 2003, public hearing on the matter before the Board of Supervisors.
20. The proposed development is subject to the development standards and requirements applicable to the R-1 Zone, as set forth in Sections 22.20.105 through 22.20.150 of the Los Angeles County Code, as well as the requirements of the DP zone, pursuant to Sections 22.40.030 through 22.40.080 of the Los Angeles County Code.
21. The project complies with Section 22.20.110 of the Los Angeles County Code in that no dwelling units or other structures will exceed a height of 35 feet above grade.
22. The applicant's site plan demonstrates compliance with Section 22.20.120 of the Los Angeles County Code, which requires that each lot provide a 20-foot front yard, a 5-foot side yard, or a 10-foot side yard for a reverse corner lot, and a 15-foot rear yard.
23. Section 22.20.130 of the Los Angeles County Code requires parking to be provided as required by Part 11 of Chapter 22.52 of the Los Angeles County Code. Section 22.52.1180 of Part 11 requires two covered standard automobile parking spaces for each single-family residence. The project provides 36 covered standard parking spaces in compliance with this requirement.
24. Pursuant to Section 22.52.630 of the Los Angeles County Code, all required fences or walls which are open to public view from any street or highway shall be provided with at least one square foot of landscaping for each linear foot of such frontage. No landscaping shall be developed with a horizontal dimension of less than three feet.
25. The applicant has submitted a draft covenant indicating that 11 dwelling units are affordable housing units that will be provided for lower-income households and continuously reserved for lower-income households for a minimum of 30 years, pursuant to Section 22.56.202 of the Los Angeles County Code. The conditions of approval of this grant will require the recordation of the covenant, which will run with the land for the benefit of the County of Los Angeles.
26. Pursuant to Section 22.56.202 of the Los Angeles County Code, a density bonus and/or concessions to make the provision of affordable housing units economically feasible may be requested if the development contains five or more

dwelling units, and at least 20 percent of the dwelling units are provided for lower income households. If the project meets these minimum requirements, a density bonus of at least 25 percent shall be granted. If the project exceeds the minimum requirements, additional bonuses are authorized at a rate of 1.25 dwelling units for each additional lower income household dwelling unit reserved beyond the minimum required. In no case, however, shall the total density bonus exceed a 50 percent increase over what the general plan would otherwise allow.

27. The project consists of 14 dwelling units prior to consideration of the requested density bonus. The applicant's reservation of 11 units for lower income households represents 9 units beyond the minimum requirement of 20 percent of the project, which satisfies the requirements for the requested density bonus of 4 units (one unit more than the minimum 25 percent density bonus).
28. The applicant has submitted purchase sale prices for dwelling units of comparable size and type within the market area of the subject property, financial information supporting the need for the concessions requested, and the reasons why they are necessary to make the affordable housing units economically feasible, pursuant to Section 22.56.202 of the Los Angeles County Code.
29. The applicant has requested and the Board of Supervisors has granted the following concessions to make the provision of the proposed lower income housing units economically feasible:
 - a. Reduced lot width and street frontage from the required 50 feet to 40 feet for lot Nos. 2, 3, 5, 9-11, 14-16, and 18;
 - b. Reduced lot width from the required 50 feet to 40 feet for lot Nos. 6 and 7;
 - c. Reduced lot width and street frontage from the required 50 feet to 42 feet for lot Nos. 4, 8, and 17;
 - d. Reduced lot width and street frontage from the required 50 feet to 45 feet for lot Nos. 1, 12, and 13;
 - e. Reduced street frontage from the required 50 feet to 40 feet for lot Nos. 2, 11, 14-16, 18; and
 - f. Reduced lot area for lot Nos. 2-11 and 14-18, ranging from 3,655 to 4,745 square feet, as depicted on the tentative tract map.

30. The applicant has submitted a development program, consisting of a site plan and progress schedule, which complies with the requirements of Section 22.40.050 of the Los Angeles County Code.
31. As a condition of approval of this grant, the applicant will be required to comply with all applicable density bonus conditions and development program conditions, as set forth in Sections 22.40.070 and 22.56.202 of the Los Angeles County Code.
32. Approval of this conditional use permit is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53209.
33. The proposed project at the location proposed has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character in that the proposed single-family lots will be consistent with the existing single-family residential neighborhood.
34. The proposed project will provide 11 dwelling units for lower-income households, thereby assisting in satisfying affordable housing needs, and through the conditions of approval of this grant will be viable in terms of continuing availability to meet such housing needs.
35. The proposed project is reasonably proximate to public transit, shopping, and employment centers.
36. The Community Development Commission of the County of Los Angeles supports and partially funds the proposed project.
37. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
38. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration has been prepared for this project.

39. The Board finds that the project is de minimus in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
40. The Board has reviewed and considered the information contained in the Negative Declaration together with any comments received during the public review process; finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment; and finds that the Negative Declaration reflects the independent judgment and analysis of the Board.
41. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be Ellen Fitzgerald, Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;
- B. That with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;
- E. That the proposed project at the proposed location has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character;

- F. That the proposed project will assist in satisfying affordable housing needs, and is viable in terms of continuing availability to meet such housing needs;
- G. That the proposed project will not cause or add to an undue concentration of affordable housing units in the surrounding community;
- H. That the proposed project will be reasonably proximate to public transit, shopping, and employment centers;
- I. That the requested incentives or concessions are required to make the affordable housing units economically feasible; and
- J. That the development program submitted provides necessary safeguards to insure completion of the proposed development by the applicant, forestalling substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Adopts the Negative Declaration and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves Conditional Use Permit Case No. 02-004-(1), subject to the attached conditions.

**CONDITIONS FOR APPROVAL
CONDITIONAL USE PERMIT NO. 02-004-(1)**

1. This grant authorizes the use of the subject property for 18 single-family residential lots, including a four-lot density bonus, with reduced lot area, street frontage and lot width, as depicted on the approved Exhibit "A" (dated January 30, 2003), subject to all of the following conditions of approval.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning ("Department") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 8.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a condition of this grant that if any condition hereof is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided, that the permittee has been given written notice to cease such violation and has failed to do so within 30 days of receiving notice.
6. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
7. Prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53209, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
8. Within five days of the approval date of this grant, the permittee shall remit a \$25.00 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code.

9. The permittee shall defend, indemnify, and hold harmless the County of Los Angeles, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
10. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within, ten days of the filing, pay the Department an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount of deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

11. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53209. In the event that Vesting Tentative Tract Map No. 53209 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
12. This grant shall not become effective unless and until the Board of Supervisors has approved Zone Change Case No. 02-004-(1) and an ordinance reflecting such change has become effective.
13. The subject property shall be graded, developed, and maintained in substantial conformance with the approved Exhibit "A." An amended or revised tentative tract map approved for Tentative Tract Map No. 53209 may, at the discretion of the Planning Director, constitute a revised Exhibit "A." In the event that

subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Planning Director for review and approval. All revised plans shall require the written authorization of the property owner.

14. All development shall comply with the requirements of Title 22 of the Los Angeles County Code and of the specific zoning of the subject property, unless specifically modified by this grant as set forth in these conditions and shown on the approved plans.
15. The area of individual lots shall substantially conform to that shown on the approved Exhibit "A."
16. The following modifications to the development standards of the R-1 Zone shall apply:
 - a. Reduced lot width and street frontage from the required 50 feet to 40 feet for lot Nos. 2, 3, 5, 9-11, 14-16, and 18;
 - b. Reduced lot width from the required 50 feet to 40 feet for lot Nos. 6 and 7;
 - c. Reduced lot width and street frontage from the required 50 feet to 42 feet for lot Nos. 4, 8, and 17;
 - d. Reduced lot width and street frontage from the required 50 feet to 45 feet for lot Nos. 1, 12, and 13;
 - e. Reduced street frontage from the required 50 feet to 40 feet for lot Nos. 2, 11, 14-16, and 8; and
 - f. Reduced lot area for lot Nos. 2-11 and 14-18, ranging from 3,655 to 4,745 square feet, as depicted on the approved Exhibit "A."
17. A minimum of 36 on-site covered standard automobile parking spaces shall be provided and maintained, as depicted on the approved Exhibit "A" and developed to the specifications listed in Section 22.52.1060 of the Los Angeles County Code. There shall be at least two covered parking spaces provided for each dwelling unit.
18. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 53209.
19. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.

20. No structures shall exceed a height of 26 feet above grade, except for chimneys and rooftop antennas.
21. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
22. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained.
23. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m. No Saturday, Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effects on nearby residences and neighborhoods. Generators and pneumatic compressors shall be noise-protected in a manner that will minimize noise inconvenience to adjacent residences.
24. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Planning Director and the Director of Public Works.
25. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high wind (i.e., greater than 20 mph average over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
26. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
27. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.
28. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect as required throughout the term of this grant.
29. All construction and development within the subject property shall comply with the applicable provisions of the County Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

30. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the premises or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
31. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 72 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
32. The permittee shall utilize water-saving devices and technology in the construction of this project to the extent feasible and consistent with County Building and Plumbing Codes.
33. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.
34. Pursuant to Chapter 22.72 of the Los Angeles County Code, the permittee shall pay a fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department. The current fee amount is \$638.00 per dwelling unit ($\$638.00 \times 18 \text{ dwelling units} = \$11,484.00$). The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.
35. Prior to the issuance of any building permit, the permittee shall pay all required school mitigation fees.
36. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Planning Director indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.
37. Prior to the issuance of any building permit, three copies of a revised landscape plan, which shall be incorporated into a revised plot plan, shall be submitted to and approved by the Planning Director. The landscape plan shall show size, type, and location of all plants, trees, and sprinkler facilities. All landscaping shall be maintained in a neat, clean, and healthy condition, including proper pruning, weeding, litter removal, fertilizing, and replacement of plants when necessary. To the maximum extent feasible and consistent with the conditions of this grant, drought-tolerant plants shall be utilized. To the maximum extent

feasible, watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover.

38. The following development program conditions shall apply, except as otherwise specified in the development program:

- a. No building or structure of any kind, except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property;
- b. No existing building or structure which under the program is to be demolished shall be used;
- c. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;
- d. All improvements shall be completed to the satisfaction of the Planning Director prior to the occupancy of any structures; and
- e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

39. The following affordable housing conditions shall apply:

- a. All owner-occupied dwelling units reserved for lower or very low income households shall have an affordable housing cost as defined in section 50052.5 of the Health and Safety Code;
- b. The affordable housing units shall be dispersed throughout the proposed project as depicted on the approved Exhibit "A" and shall be compatible with the exterior design of other units in the project in terms of appearance, materials, and finished quality;
- c. At least 11 lots shall be reserved for lower income households for a minimum period of 30 years;
- d. Prior to approval of a final map for Vesting Tentative Tract Map No. 53209, the permittee shall submit for review and approval by county counsel a deed restriction, covenant, or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation, to ensure the continuing availability of at least 11 lots to lower-income households for at least 30 years. The document shall contain remedies

for violations of the covenant including, but not limited to, monetary penalties. The approved document shall be recorded in the office of the County Recorder prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 53209;

- e. The reserved affordable housing units shall be constructed and offered for sale concurrently with or prior to the construction and sale of the unreserved or market rate dwelling units in the development project; and
- f. Prior to approval of a final map for Vesting Tentative Tract Map No. 53209, the permittee shall submit a form of security such as, but not limited to, letters of credit in an amount sufficient to ensure completion of all designated affordable housing units, to the satisfaction of the Department.

ZONING CASE NO. 02-004-(1)

ORDINANCE NO. 2004-0014Z

An ordinance amending Section 22.16.230 of Title 22 – Planning and Zoning of the Los Angeles County Code, changing regulations for the execution of the General Plan, relating to Puente Zoned District No. 76.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.16.230 of the County Code is amended by amending the map of the Puente Zoned District No. 76, as shown on the map attached hereto.

SECTION 2. The Board of Supervisors finds that this ordinance is consistent with the General Plan of the County of Los Angeles.

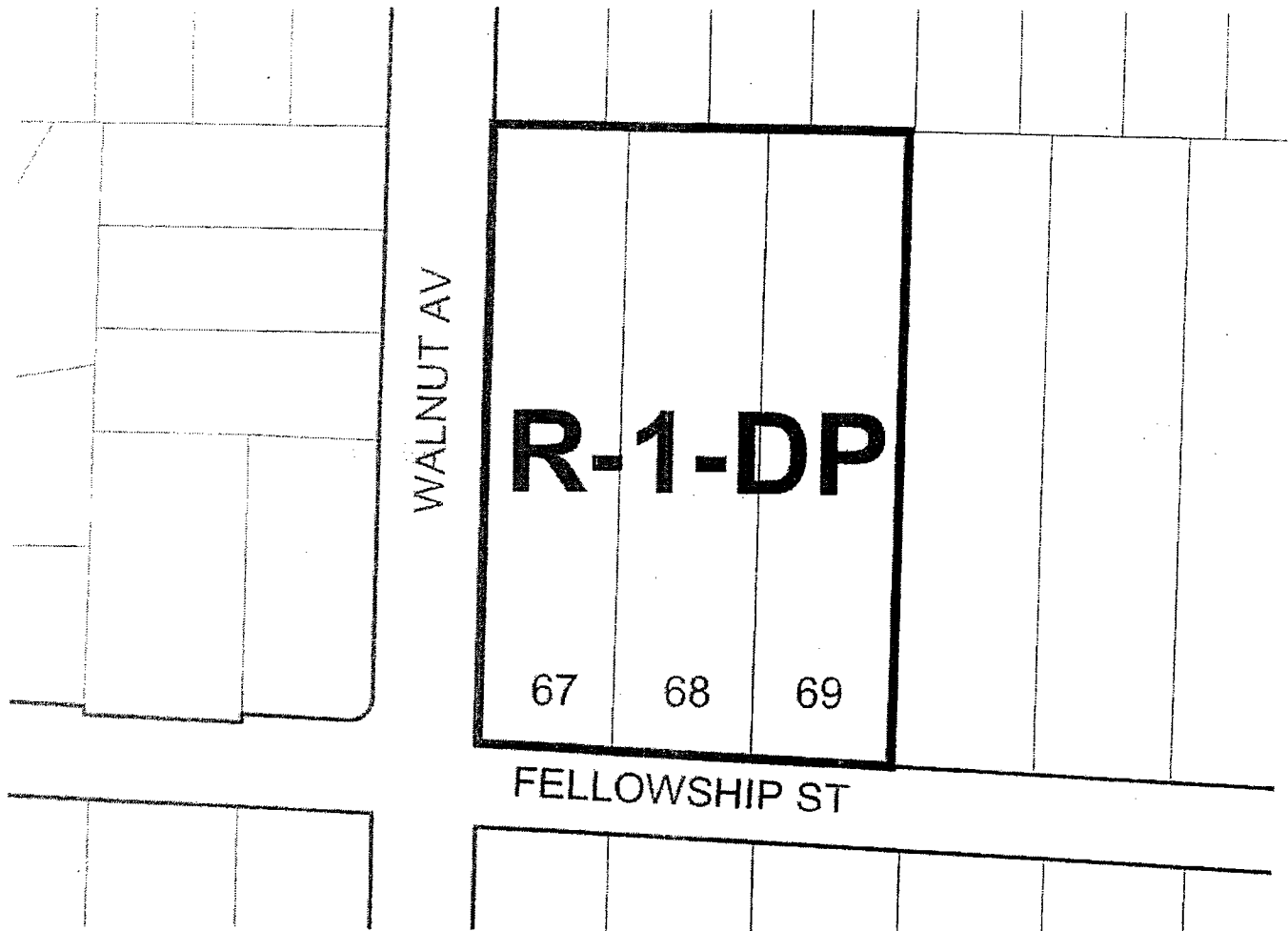
CHANGE OF PRECISE PLAN
PUENTE ZONED DISTRICT

ADOPTED BY ORDINANCE: 2004-0014Z

ON: March 16, 2004

ZONING CASE: ZC 02004

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



LEGAL DESCRIPTION:

LOTS 67, 68 & 69 OF TRACT 1859, MB 21-125

DIGITAL DESCRIPTION: \ZCOZD_PUENTE\



0 50 100
FEET

COUNTY ZONING MAP
129H305

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
LESLIE G. BELLAMY CHAIR
JAMES E. HARTL PLANNING DIRECTOR

SECTION 3. This ordinance shall be published in The Daily Commerce
a newspaper printed and published in the County of Los Angeles.

Don Knabe
Chairman

ATTEST:

Violet Varona-Lukens
Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles



I hereby certify that at its meeting of March 16, 2004, the foregoing ordinance
was adopted by the Board of Supervisors of said County of Los Angeles by the following vote,
to wit:

Ayes

Noes

Supervisors Gloria Molina
Yvonne Brathwaite Burke
Michael D. Antonovich
Zev Yaroslavsky
Don Knabe

Supervisors None

Effective Date: April 15, 2004

Operative Date:

Violet Varona-Lukens
Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles



Cert Form (Rev 12/01)

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

VIOLET VARONA-LUKENS
Executive Officer
Clerk of the Board of Supervisors

Mathew
San

APPROVED AS TO FORM:
LLOYD W. PELLMAN
County Counsel

By Raymond G. Fortner, Jr.
Chief Deputy County Counsel